

# Exhibit 65



Bernie Dolan <bernie.dolan@wvssac.org>

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## Transgender

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Mon, May 6, 2019 at 5:10 PM

Daniel Swartos <daniel.swartos@sdhsaa.com>  
cc: HI - Christopher Chun <chun@hhsaa.org>, MS - Don Hinton <dhinton@misshsaa.com>, TN - Bernard Childress <bchildress@tssaa.org>, WV - Bernie Dolan <bernie.dolan@wvssac.org>, MT - Mark Beckman <mbeckman@mhsa.org>, Jerome Singleton <jsingle@schsl.org>

Chris, Mark, Bernie, Don, Bernard, and Jerome,

Good afternoon! Say, I've got a state legislator who has been fighting us for years to get rid of our transgender policy.

Today he sent me this link: <https://www.transathlete.com/k-12> which lists states according to their policy.

He noted that Hawaii, West Virginia, Tennessee, Mississippi, South Carolina, and Montana all have no transgender policy and he wants us to follow your lead.

A few questions:

- Is this map accurate? Do you all not have transgender policies?
- If not, have you ever been challenged on not having a policy?
- Have you received any litigation for not having a policy?
- Did you remove an existing policy or have you never had a policy?

Any information would be helpful. Transgender athletes make up around 0.008% of our athletes in the state, but we spend an inordinate amount of time fighting about it.

Have a great day!

-Dan

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Bernie Dolan <bernie.dolan@wvssac.org>

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Transgender

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Mon, May 6, 2019 at 6:29 PM

bernie.dolan@wvssac.org <bernie.dolan@wvssac.org>  
To: Daniel Swartos <daniel.swartos@sdhsaa.com>

Daniel,

WV has a board policy that is not in our by laws.

Basically,

We support whatever the local school's determination.

However there can be an appeal on safety and competitive balance.  
It has not been challenged yet

Bernie

Sent from my iPhone

[Quoted text hidden]

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